



120 Malabar Road, SE - Palm Bay, FL 32907 (321-952-3400)
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Mayor
WILLIAM CAPOTE

Deputy Mayor
JEFF BAILEY

Councilmembers
MICHELE PACCIONE
HARRY SANTIAGO, JR.
TRES HOLTON

AGENDA

REGULAR COUNCIL MEETING NO. 2016-18

THURSDAY

August 4, 2016 - 7:00 P.M.
City Hall Council Chambers

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ANNOUNCEMENTS:

1. One (1) term expiring on the Bayfront Community Redevelopment Agency (represents 'at-large' position).++

AGENDA REVISIONS:

CONSENT AGENDA:

There will be no separate discussion on those items listed under Consent Agenda (indicated with asterisks(*)). They will be enacted by the City Council on one motion. If discussion is desired by the City Council, that item will be removed from the Consent Agenda by Council and will be considered in the order that it appears on the agenda.

PROCLAMATION:

1. Health First's Palm Bay Hospital Spread and Sustainability Summit Month – August 2016.

ADOPTION OF MINUTES:

- * 1. Regular Council Meeting No. 2016-16; July 21, 2016.
- * 2. Special Council Meeting No. 2016-17; July 25, 2016.

PUBLIC COMMENTS/RESPONSES: (Non-agenda Items Only)

Public comments will be heard by the City Council on non-agenda issues. Speakers must complete 'Public Comment Cards' (orange) and are limited to 3 minutes each.

THIS MEETING IS BROADCAST LIVE ON THE CITY'S WEBSITE AND
TELEVIEWED ON THE SPACE COAST GOVERNMENT TV CHANNEL.

PUBLIC HEARINGS:

1. Ordinance No. 2016-04, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located southeast of and adjacent to Robert J. Conlan Boulevard, and west of and adjacent to the Florida East Coast Railway from Industrial Use to Bayfront Mixed Use (24.10 acres)(Case No. CP-12-2015, Citizens Bank & Trust), final reading.
2. Ordinance No. 2016-47, amending the Code of Ordinances, Chapter 52, Boards, Subchapter 'Planning and Zoning Board/Local Planning Agency', by modifying the number of members that shall constitute a quorum, final reading.
3. Ordinance No. 2016-48, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located west of and adjacent to Delano Avenue, in the vicinity between Hazelton and Delaware Streets, from Recreation and Open Space Use to Single-Family Residential Use (4.36 acres)(Case No. CP-16-2016, City of Palm Bay), only one reading required.
4. Ordinance No. 2016-49, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located at the southeast intersection of Breezeway Avenue and Delancey Street, in the vicinity east of Dorado Avenue, from Recreation and Open Space Use to Single-Family Residential Use (2.7 acres)(Case No. CP-17-2016, City of Palm Bay), only one reading required.
5. Ordinance No. 2016-50, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located at the southeast intersection of Quentin Avenue and Tower Street, in the vicinity west of Grant Avenue, from Recreation and Open Space Use to Single-Family Residential Use (3.27 acres)(Case No. CP-18-2016, City of Palm Bay), only one reading required.
6. Ordinance No. 2016-51, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located south of and adjacent to Palm Bay Road, in the vicinity east of Riviera Drive, from Conservation Use to Commercial Use (5.00 acres)(Case No. CP-19-2016, City of Palm Bay), only one reading required.
- ♣7. Ordinance No. 2016-52, rezoning property located south of and adjacent to Palm Bay Road, in the vicinity east of Riviera Drive, from FC (Floodway Conservation District) to CC (Community Commercial District) (5.00 acres)(Case No. CPZ-19-2016, City of Palm Bay), first reading.
8. Ordinance No. 2016-53, amending the City's Comprehensive Plan Future Land Use Map to change the designated use of property located at the northwest intersection of Mariposa Drive and Port Malabar Boulevard, from Recreation and Open Space Use and Single Family Residential Use to Commercial Use (1.00 acre)(Case No. CP-20-2016, City of Palm Bay), only one reading required.
- ♣9. Ordinance No. 2016-54, rezoning property located at the northwest intersection of Mariposa Drive and Port Malabar Boulevard, from RS-2 (Single-Family Residential District) to CC (Community Commercial District) (1.00 acre)(Case No. CPZ-20-2016, City of Palm Bay), first reading.
10. Ordinance No. 2016-55, amending the Code of Ordinances, Chapter 184, Subdivisions, in order to modify definitions, allow developments to bond for future sidewalks and to establish provisions for the division of parcels into contiguous lots (Case No. T-19-2016, City of Palm Bay), first reading.

11. Ordinance No. 2016-56, amending the Code of Ordinances, Chapter 171, Fair Share Impact Fees, in order to reflect the annual increase and effective dates to the water and wastewater capital charges and recovery usage fees (Case No. T-20-2016, City of Palm Bay), first reading.
- ♣12. Resolution No. 2016-29, granting a conditional use to allow a proposed private school to operate within an existing church in IU (Institutional Use District) zoning (6.28 acres) (Case No. CU-18-2016, Church of Our Savior).
- ♣13. Request by Dimitrios Makos for a variance to allow an existing home to encroach the 25-foot side corner setback; and to allow a proposed fence to encroach the 25-foot side corner setback by a maximum of 7.7 feet in RS-1 (Single-Family Residential District) zoning (0.25 acres)(Case No. V-13-2016).
14. Request by the City of Palm Bay to amend the City's Comprehensive Plan Future Land Use Map to change the designated use of property located at the southeast intersection of Rheine Road and Treu Terrace, from Recreation and Open Space Use to Single-Family Residential Use (4.54 acres)(Case No. CP-15-2016) **(RESCHEDULED TO P&Z – 08/03/16)**.
15. Request by Roy Wayne Yates for a conditional use to allow the expansion of an existing borrow pit in GU (General Use Holding District) zoning (244.42 acres)(Case No. CU-1-2016) **(RESCHEDULED TO P&Z – 08/03/16 AND RCM – 08/16/16)**.
16. Request by Sutton Properties of Palm Bay II, LLC for a variance to reduce the minimum width requirement for parking spaces within an existing off-street parking area from ten (10) feet to nine (9) feet in CC (Community Commercial District) zoning (1.53 acres) (Case No. V-9-2016) **(WITHDRAWN)**.

PROCUREMENTS:

Award of Proposals:

- * 1. Bulk pebble quicklime – RFP No. 58-0-2016 – Utilities Department (Carmeuse Lime and Stone – \$323,000).
- * 2. John Deere tractor (used) with boom rotator mower (new) – RFP No. 61-0-2016 – Public Works Department/City Attorney's Office (Diamond Mowers - \$113,560).
- * 3. Lease/purchase financing of public safety equipment – RFP No. 70-0-2016 – Finance Department (US Bancorp - \$773,597).

Contracts:

- * 1. Preliminary design report update, South Regional Water Reclamation Facility – TO 16-08 – Utilities Department (Wade Trim, Inc. - \$65,386).
- * 2. Continuing consultant engineering, renewal – Utilities Department (Wade Trim - \$900,000).

Miscellaneous:

- * 1. "Other Agency" contracts, replacement hydraulic excavator (Florida Sheriff's Association contract) – Public Works Department/City Attorney's Office (Flagler Construction Equipment, LLC – \$202,759).

- * 2. “Other Agency” contracts, computer consoles, Communications Center (Brevard County Dispatch Console Purchasing Agreement) – Police/Communications and Information Technology Departments (Communications International, Inc. – \$156,407).

COUNCIL REPORTS:

NEW BUSINESS: (Ordinances are for first readings.)

1. Resolution No. 2016-30, offering support for the Merritt Island National Wildlife Refuge Community Conservation and Education Center (Mayor Capote).
2. Ordinance No. 2016-57, placing one (1) referendum issue on the November 2016 municipal election ballot.
- * 3. Ordinance No. 2016-58, amending the Code of Ordinances, Chapter 35, Finance Department, by repealing subchapter ‘Purchasing’ in its entirety.
- * 4. Ordinance No. 2016-59, amending the Code of Ordinances by creating Chapter 38, to be titled ‘Procurement Department’.
- * 5. Consideration of settlement with Preferred Governmental Insurance Trust and disposal of City capital surplus property.

ADMINISTRATIVE AND LEGAL REPORTS:

PUBLIC COMMENTS/RESPONSES: Speakers are limited to 3 minutes.

ADJOURNMENT:

♣Quasi-judicial proceeding.

Councilmembers who are members of the Space Coast Transportation Planning Organization (TPO) may discuss TPO issues which may subsequently be addressed by the TPO.

If an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (FS 286.0105). Such person must provide a method for recording the proceedings verbatim.

Any aggrieved or adversely affected person desiring to become a party in the quasi-judicial proceeding shall provide written notice to the City Clerk which notice shall, at a minimum, set forth the aggrieved or affected person's name, address, and telephone number, indicate how the aggrieved or affected person qualifies as an aggrieved or affected person and indicate whether the aggrieved or affected person is in favor of or opposed to the requested quasi-judicial action. The required notice must be received by the Clerk no later than five (5) business days at the close of business, which is 5 p.m., before the hearing. (§ 59.03, Palm Bay Code of Ordinances).

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall, at least 48 hours prior to the meeting, contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.

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